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IN THE

Supreme Court of the United States

October Term, 1927

No. 1. Rhederei M. Jebsen Company, Appellant, v. The United States.

No. 2. The Firm of M. Jebsen, etc., et al., Appellants, v. The United States.

No. 3. Hamburg-American Line Terminal & Navigation Company, Appellant, v. The United States.

No. 4. Hamburg-American Line Terminal & Navigation Company, Appellant, v. The United States.

No. 5. Atlas Line Steamship Company, Appellant, v. The United States.

No. 6. Atlas Line Steamship Company, Appellant, v. The United States.

No. 7. North German Lloyd, Appellant, v. The United States.

No. 8. North German Lloyd, Appellant, v. The United States.

No. 9. North German Lloyd, Appellant, v. The United States.

No. 10. Hamburg-Amerikanische Packetfahrt Aktien-Gesellschaft (also known as Hamburg-American Line), Appellant v. The United States.

No. 11. Hamburg-Amerikanische Packetfahrt Aktien-Gesellschaft (also known as Hamburg-American Line), Appellant v. The United States.

No. 12. Deutsch-Australische Dampfschiffs-Gesellschaft, Appellant, v. The United States.

APPEALS FROM THE COURT OF CLAIMS.

Motion to Pass Cases and to Assign Them for Argument on First Monday of May, 1928.

William B. Devoe,
Counsel for Appellants in Nos. 3, 4, 5, 6, 10 and 11.
Edgar W. Hunt,
Counsel for Appellants in Nos. 7, 8 and 9.
Maxwell C. Katz,
For Counsel for Appellants in No. 12.

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APPEALS FROM THE COURT OF CLAIMS.

Motion to Pass Cases and to Assign Them for Argument on First Monday of May, 1928.

Now come the Appellants in Nos. 3 to 12 inclusive of the above entitled actions, by their respective attorneys in that behalf duly authorized, and respectfully move the Court that none of the above entitled actions (Nos. 1 to 12 inclusive) be heard on the fifth day of March next (the day heretofore set for the argument of the same), but that they all be assigned for argument on the seventh day of May next or on such later date in this or the next Term as the Court may deem proper; and as grounds for this motion said Appellants state the following:

1. These are the so-called "German Ship Cases," the argument of which, by order made by the Court on the tenth day of October last, was postponed until the fifth day of March then next, on the ground of anticipated legislation by Congress rendering their decision unnecessary.

2. In December last, the House of Representatives passed, by a vote of 223 to 26, the Bill known as H. R. 7201 and bearing the short title "Settlement of War Claims Act of 1928." On February 20th, 1928, the Senate passed said Bill, with amendments, without a record vote but by a large majority.

3. The Senate's amendments to the House Bill, while numerous, do not disturb its essential plan and are for the most part of a non-controversial character, and serve merely to clarify provisions of the House Bill, to supply omissions and to enlarge and extend the remedial scope of the measure.

4. As enacted by both Houses, the Bill contains provisions for the appointment of an arbiter to determine

the value of the German merchant ships, and of a radio station and of certain patents, and authorizes him to make awards therefor not exceeding one hundred million dollars in the aggregate, and authorizes an initial appropriation of fifty million dollars on account of payment of the awards. It also requires the owners of the ships, in order to obtain the benefit of these provisions, to dismiss any actions brought by them against the United States, based upon the taking of any of the ships, within six months after the arbiter shall have taken office.

5. One of the Senate amendments to the House Bill consists of additional sections according to Appellants in Nos. 1 and 2 of the above entitled actions, because of the Danish nationality acquired by them under the Treaty of Versailles, a special status and special rights not accorded Appellants in the other cases.

6. On February 21st, inst., the Senate and House respectively appointed members of a Joint Conference Committee to further consider said Bill and evolve a final draft satisfactory to both Houses, and counsel presenting this motion are informed and believe that those members who have had charge of the Bill in the two Houses anticipate that the Joint Conference Committee will be able without special difficulty to perform the function assigned to it and that its labors will require not to exceed about two weeks time, after which the perfected Bill may be expected to be reported to the two Houses for final passage, which may reasonably be expected prior to May seventh next.

7. Appellants respectfully submit that the further postponement of all the above entitled cases is reasonably warranted by the pendency of the legislation above mentioned and the circumstances indicating the probability of its early adoption.

Respectfully submitted,

WILLIAM B. DEVOE,
Counsel for Appellants in Nos. 3, 4, 5, 6, 10 and 11.
EDGAR W. HUNT,
Counsel for Appellants in Nos. 7, 8 and 9.
MAXWELL C. KATZ,
Counsel for Appellants in No. 12.

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IN THE

Supreme Court of the United States

OCTOBER TERM, 1925.

No. 102. H. 1

RHEDEREI M. JEBSEN COMPANY, *Appellant*,

No. 103.

THE FIRM OF M. JEBSEN, ETC. ET AL., *Appellants*,

vs.

THE UNITED STATES.

JOINT REQUEST OF APPELLANTS AND APPELLEE FOR RESTORATION OF CASES

WILLIAM D. MITCHELL,
Solicitor General.

WILLIAM F. NORMAN,
Attorney for Appellants.

PRESS OF BYRON S. ADAMS, WASHINGTON, D. C.

IN THE

Supreme Court of the United States

OCTOBER TERM, 1925.

No. 102.

RHEDEREI M. JEBSEN COMPANY, *Appellant*,

No. 103.

THE FIRM OF M. JEBSEN, ETC. ET AL., *Appellants*,

vs.

THE UNITED STATES.

Now come the appellants and the appellee, by their counsel, in the above-entitled causes, and move the Court to restore cases Nos. 102 and 103 to the call, and assign them for the 19th day of April, 1926, under the provisions of Rule 18 Section 9.

WILLIAM D. MITCHELL,
Solicitor General.

WILLIAM F. NORMAN,
Attorney for Appellants.

IN THE SUPREME COURT OF THE UNITED STATES.

OCTOBER TERM, 1925.

No. 102.

RHEDEREI M. JEBSEN COMPANY, *Appellant*,

No. 103.

THE FIRM OF M. JEBSEN, ETC. ET AL., *Appellants*,

vs.

THE UNITED STATES.

District of Columbia, ss:

Personally appeared before me, the undersigned, William F. Norman, who, being by me duly sworn, did depose and say: That the reason for failure to present argument in the above causes when the same were called in November, 1925, and were by stipulation passed subject to restoration under the provisions of Rule 18, Section 9, was that at that time it seemed apparent that the relief prayed for would be granted by Congress, and the reason now assigned for the restoration is that it seems at this time equally apparent that the relief referred to will not be granted by Congress at its present session.

WILLIAM F. NORMAN,

Subscribed and sworn to before me this 9th day of April, 1926.

C. R. HEFLIN,
Notary Public, D. C.